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Atorneys for Defendant  
COMARCO WIRELESS TECHNOLOGIES, INC.

[Additional Counsel for the Parties identified on last page]

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ACCO BRANDS USA LLC,

Case No. C11-4378 RS

Plaintiff,

**STIPULATION AND REQUEST FOR  
ORDER MODIFYING SCHEDULING  
ORDER; ~~PROPOSED~~ ORDER  
MODIFYING SCHEDULE ORDER**

V.

## COMARCO WIRELESS TECHNOLOGIES, INC.

Defendant.

1                   **STIPULATION AND REQUEST FOR ORDER MODIFYING SCHEDULING ORDER**

2                   Plaintiff ACCO Brands USA LLC and Defendant Comarco Wireless Technologies, Inc.,  
3 through their undersigned counsel, stipulate and respectfully request as follows:

4                   1.        WHEREAS, the Court entered an Amended Case Management Scheduling Order  
5 on April 3, 2012 (Dkt 28) (the “Order”), in which the Court set forth the case schedule;

6                   2.        WHEREAS, the Order required all dispositive motions to be heard no later than  
7 September 26, 2013;

8                   3.        WHEREAS, the Order required all pretrial motions (e.g., motions *in limine*,  
9 *Daubert* motions) to be heard no later than November 21, 2013;

10                  4.        WHEREAS, the parties have been discussing and continue to discuss in good faith  
11 settlement of this case;

12                  5.        WHEREAS, because of their settlement efforts, and the devotion of resources and  
13 attention thereto, the parties agreed to postpone certain discovery-related activities;

14                  6.        WHEREAS, although the parties continue to engage in settlement efforts, and they  
15 continue to work cooperatively with each other regarding discovery, case management and other  
16 case scheduling issues, they respectfully believe that, in the event the case does not settle, modest  
17 extensions of two deadlines set by the Order are critical to just and efficient case management;

18                  7.        ACCORDINGLY, the parties respectfully request that the September 26, 2013  
19 deadline for hearing dispositive motions be continued to October 17, 2013, and that the  
20 November 21, 2013 deadline for hearing pretrial motions be continued to December 12, 2013.

1           8. These schedule modifications will not affect the trial date.  
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3           DATED: June 10, 2013

Respectfully submitted,

5           KILPATRICK TOWNSEND & STOCKTON LLP  
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7           By: /s/Scott E. Kolassa  
8           SCOTT E. KOLASSA

9           Attorneys for Plaintiff  
10           ACCO BRANDS USA LLC  
11           DATED: June 10, 2013

12           PILLSBURY WINTHROP SHAW PITTMAN LLP  
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14           By: /s/Colin T. Kemp  
15           COLIN T. KEMP

16           Attorneys for Defendant  
17           COMARCO WIRELESS TECHNOLOGIES, INC.  
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19           **GENERAL ORDER 45 ATTESTATION**

20           In compliance with General Order 45, X.B., I hereby attest that counsel for Defendant has  
21           concurred in this filing.

22           Dated: June 10, 2013

23           By: /s/Scott E. Kolassa  
24           SCOTT E. KOLASSA

25           Attorneys for Plaintiff ACCO BRANDS USA LLC  
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1 **[PROPOSED] ORDER MODIFYING SCHEDULING ORDER**

2 Pursuant to the foregoing stipulation, and good cause appearing therefore, it is ORDERED  
3 THAT:

4 1. The September 26, 2013 deadline for hearing dispositive motions is continued to  
5 October 17, 2013, and,

6 2. The November 21, 2013 deadline for hearing pretrial motions is continued to  
7 December 12, 2013.

8 **IT IS SO ORDERED.**

9 DATED: 6/10/2013

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United States District Judge Richard Seeborg

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